

Immediately following graduation from law school, Mr. Hicks went to work for one of Nevada's premier legal minds in the Washoe County District Attorney's Office. Soon, Mr. Hicks was working full time to keep northern Nevada streets safe in his capacity as the chief criminal deputy DA, a position he filled for 3 years before being elected by a substantial margin to the office of district attorney. He held this position for 4 years before entering private practice.

Mr. Hicks has been a partner in one of Nevada's largest law firms for over 20 years and has been chairman of its litigation section for the past 15. He is a fellow in the American College of Trial Lawyers, an organization which admits members by invitation only and is limited to no more than 1 percent of the lawyers in each State.

Mr. Hicks was on the Board of Governors for the State Bar of Nevada for the better part of a decade, during which time he served in many roles, most notably as president during 1993-94. In the legal community, to receive the Presidential nomination to a Federal judgeship is one of the highest honors. Mr. Hicks now has the honor of receiving such a nomination twice. President George H.W. Bush nominated Mr. Hicks to the Federal bench in 1992. Unfortunately, because of things that happened in that political year, his nomination was never acted upon. But today, Larry has the historical distinction of being nominated by that President's son, President George W. Bush.

Mr. Hicks not only takes pride in his work as a fine legal mind but also in his role as a husband and father. His three children have carried on their father's Nevada tradition and received their degrees from his alma mater, the University of Nevada, Reno. In fact, Larry's son Christopher carried on in his father's legal footsteps and attended the University of Nevada's Boyd School of Law.

Madam President, I know his wife Marianne and their children are proud of Larry, and I know Nevada is proud of Larry. Along with the senior Senator from the State of Nevada, HARRY REID, I believe Larry Hicks is someone who will make an outstanding judge.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY. I yield such time to Senator REID as he may need.

The PRESIDING OFFICER. The senior Senator from Nevada.

Mr. REID. Madam President, first of all, I express my appreciation to my friend from Nevada. Senator ENSIGN is a doctor, not a lawyer but he could have not have picked anyone better than Larry Hicks. Larry Hicks is a fine lawyer. His brother is a lawyer. His brother Bud was my lawyer for a number of years when I was chairman of the Nevada Gaming Commission. He

was an outstanding lawyer. They both have great personalities. He will have a fine demeanor from the bench.

Larry Hicks has wanted this job for a long time. He was almost confirmed before, but there was a change in administrations and a change in the makeup of the Senate. Even though he had been cleared by the White House, his name did not come forward. He has waited almost an additional 10 years to be a judge. He will be an outstanding judge. He now works for an outstanding firm. Some of the best lawyers in Nevada are part of the firm to which he belongs—McDonald, Carano, Wilson, McCune, Bergin, Frankovich & Hicks. The State of Nevada and the country will be better for having him serve.

I also appreciate my friend, Senator ENSIGN, running these names past me. I appreciate that very much. He and I have a relationship on judges that I think works well. He has reached out to me. With somebody such as Larry Hicks, it is easy. I could not have chosen anyone better than Larry Hicks myself.

Again, I applaud and commend Senator ENSIGN for this choice.

I ask unanimous consent that all time be yielded back and the vote begin now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

All time is yielded back. The question is, Will the Senate advise and consent to the nomination of Larry R. Hicks, of Nevada, to be United States District Judge for the District of Nevada?

The clerk will call the roll.

Mr. REID. I announce that the Senator from Montana (Mr. BAUCUS), the Senator from Delaware (Mr. BIDEN), the Senator from New Jersey (Mr. CORZINE), the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Massachusetts (Mr. KERRY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Georgia (Mr. MILLER), the Senator from New Jersey (Mr. TORRICELLI), the Senator from Minnesota (Mr. WELLSTONE), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. NICKLES. I announce that the Senator from Utah (Mr. HATCH), the Senator from Tennessee (Mr. FRIST), the Senator from Arizona (Mr. MCCAIN), the Senator from Oregon (Mr. SMITH), the Senator from Ohio (Mr. VOINOVICH), and the Senator from Kansas (Mr. BROWNBACK) are necessarily absent.

I further announce that if present and voting the Senator from Utah (Mr. HATCH), would vote "yea."

The PRESIDING OFFICER (Mr. NELSON of Florida). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 83, nays 0, as follows:

[Rollcall Vote No. 322 Ex.]

YEAS—83

| | | |
|----------|------------|-------------|
| Akaka | Domenici | Lott |
| Allard | Dorgan | Lugar |
| Allen | Durbin | McConnell |
| Bayh | Edwards | Mikulski |
| Bennett | Ensign | Murkowski |
| Bingaman | Enzi | Murray |
| Bond | Feingold | Nelson (FL) |
| Boxer | Feinstein | Nelson (NE) |
| Breaux | Fitzgerald | Nickles |
| Bunning | Graham | Reed |
| Burns | Gramm | Reid |
| Byrd | Grassley | Roberts |
| Campbell | Gregg | Rockefeller |
| Cantwell | Hagel | Santorum |
| Carnahan | Harkin | Sarbanes |
| Carper | Helms | Schumer |
| Chafee | Hollings | Sessions |
| Cleland | Hutchinson | Shelby |
| Clinton | Hutchison | Smith (NH) |
| Cochran | Inhofe | Snowe |
| Collins | Inouye | Specter |
| Conrad | Johnson | Stabenow |
| Craig | Kohl | Stevens |
| Crapo | Kyl | Thomas |
| Daschle | Leahy | Thompson |
| Dayton | Levin | Thurmond |
| DeWine | Lieberman | Warner |
| Dodd | Lincoln | |

NOT VOTING—17

| | | |
|-----------|----------|------------|
| Baucus | Jeffords | Smith (OR) |
| Biden | Kennedy | Torricelli |
| Brownback | Kerry | Voinovich |
| Corzine | Landrieu | Wellstone |
| Frist | McCain | Wyden |
| Hatch | Miller | |

The nomination was confirmed.

The PRESIDING OFFICER. The President will be notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AIRPORT SECURITY

Mr. DURBIN. Mr. President, I rise as if in morning business to address an issue which has been debated at length on Capitol Hill since September 11.

Since September 11, Americans have been focused on the issue of aviation security. There is no question that the system we used to cross America to that date was deficient. Whether stronger aviation security in our airports and around them might have averted that crisis is frankly unknown. But we all know that if we are going to be serious about limiting the opportunities for violence and terrorism on